

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR POUNCY, #571990,

Plaintiff,

File no: 1:20-cv-799

v.

HON. ROBERT J. JONKER

MATTHEW MACAULEY, et al.,

Defendants.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on March 9, 2022 (ECF No. 26). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 26) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant Blackman's motion for summary judgment is **GRANTED**.

IT IS FURTHER ORDERED that Defendant Blackman is dismissed without prejudice for failure to exhaust administrative remedies.

IT IS FURTHER ORDERED that Plaintiff is denied a certificate of appealability.

The Court discerns no good-faith basis for appeal of this matter. *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997); 28 U.S.C. § 1915(a)(3).

Date: April 4, 2022

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE